REMARKS

This application has been carefully reviewed in light of the Office Action dated June 15, 2005. Claims 24 to 38 are in the application, of which Claims 24, 29 and 34 are independent. Reconsideration and further examination are respectfully requested.

Claim 35 was objected to for an informality that has been attended to by amendment. Withdrawal of the objection is respectfully requested.

Claims 34 to 38 were rejected under 35 U.S.C. § 101. Without conceding the correctness of the rejections, the claims have been amended for even better compliance with § 101. Withdrawal of the § 101 rejections is respectfully requested.

Claims 24 to 26, 28 to 31, 33 to 36 and 38 were rejected under 35 U.S.C.§ 102(e) over U.S. Patent No. 6,615,183 (Kolls), and Claims 27, 32 and 37 were rejected under 35 U.S.C. § 103(a) over Kolls in view of U.S. Patent No. 5,771,354 (Crawford). The rejections are respectfully traversed and the Examiner is requested to reconsider and withdraw the rejections in light of the following comments.

The present invention is directed to the outputting of a processed file which is formed using an application. In particular, the claims are directed to calculating a charge for use of the application based on an amount of output product obtained by output processing of the file formed using the application. For example, as described in the specification beginning at line 24 on page 16, a fee is determined for an amount of output product logged for output processing of a file prepared by utilizing an application, such as a fee for performing a printing process, and e-mail transmission or a facsimile transmission of the file.

With specific reference to the claims, independent Claim 24 is a file outputting system comprising file storing means for storing a file which is formed using an application, receiving means for receiving a request of output processing of the file stored by the file storing means, output processing executing means for executing the requested output processing on the file, output log recording means for recording an amount of output product obtained by the output processing, and calculating means for calculating a

charge for use of the application on the basis of the amount of the output product, recorded by the output log recording means.

Independent Claims 29 and 34 are method and computer program claims, respectively, that substantially correspond to Claim 24.

The applied art is not seen to disclose or to suggest the features of Claims 24, 29 and 34, and in particular is not seen to disclose or to suggest at least the feature of forming a file utilizing an application, and calculating a charge for use of the application on the basis of an amount of the output product recorded by an output log recording means in response to an output request for output processing of the file.

Kolls is merely seen to provide a broad disclosure that a user can utilize an electronic commerce business center and is charged for various types of uses. For example, the user can perform print processing, facsimile transmission, email transmissions, etc. and is charged for the transactions. Thus, while Kolls may be similar to the present invention in this aspect, Kolls nonetheless is not seen to provide any detailed description of how the charges are determined, much less that a user is charged for use of an application based on an amount of output product obtained from executing output processing on a file formed by the application. Accordingly, the present invention of Claims 24, 29 and 34 is not believed to be anticipated by Kolls.
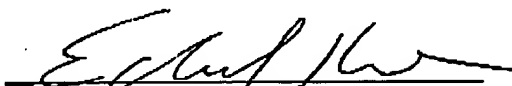
Crawford is seen to disclose charging a client for information on the basis of a unit price per time period (such a per minute or per month) or a unit price per read-amount from a disk. However, Crawford is not seen to disclose or to suggest at least the feature of forming a file utilizing an application, and calculating a charge for use of the application on the basis of an amount of the output product recorded by an output log recording means in response to an output request for output processing of the file. Accordingly, the proposed combination of Kolls and Crawford is not believed to have rendered the present invention of Claims 24, 29 and 34 obvious.

In view of the foregoing, independent Claims 24, 29 and 34, as well as the claims dependent therefrom, are believed to be allowable.

-7-

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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- 8 -